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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,820	12/11/2001	Bertrand du Castel	M-12236 US	1681

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EXAMINER
BHATIA, AJAY M

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Applicati n No.
10/014,820</td><td>Applicant(s)
DU CASTEL ET AL.</td></tr>
<tr><td>Examin r
Ajay M Bhatia</td><td>Art Unit
2145</td></tr>
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-- The MAILING DATE of this c mmunication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 December 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   Claims 1-27 are pending.

2.   Claims 1-27 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-3, 5-7, 10, 12-16, 18-29 are rejected under 35 U.S.C. 102(e) as being

anticipated by Schloss et al. (U.S. Patent 6,249,844 referred to as Schloss).

4.   For claim 1, Schloss teaches, a method for reducing transmissions of content

between a gateway and one or more clients, the method comprising:

        determining a plurality of characteristics of content, including at least one

static characteristic of content; and

        sharing the determination of the plurality of characteristics of content with

the gateway and the one or more clients, the sharing to enable the gateway to filter

content for transmission to the one or more clients based on the plurality of

characteristics thereby reducing an amount of content for transmission between the

gateway and the one or more clients. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

5.   For claim 2, Schloss teaches, the method of claim 1 further comprising:

        updating the gateway with a later determination of the plurality of

characteristics of content, the updating including adding data to a container associated

with the gateway. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

6.   For claim 3, Schloss teaches, the method of claim 2 wherein the container is a

database. (see Schloss, Col. 5 lines 37-52)

7.   For claim 5, Schloss teaches, the method of claim 1 wherein the determining is

done by one or more of a user of the client and an issuer of the client. (see Schloss,

Col. 5 line 57 to Col. 6 line 30)

8.   For claim 6, Schloss teaches, the method of claim 5 wherein the issuer identifies

static content via a communication with the gateway. (see Schloss, Col. 7 lines 48-67)

9.   For claim 7, Schloss teaches, the method of claim 5 wherein the user identifies

static content via a setup program. (see Schloss, Col. 7 lines 48-67)

10.   For claim 10, Schloss teaches, the method of claim 1 further comprising:

        recording one or more unique identifiers associated with the determination

of the plurality of characteristics of content, the unique identifier identifying content

chosen for caching according to at least one characteristic of the plurality of

characteristics of content;

       comparing the unique identifier to a list of unique identifiers recorded by

the gateway; and

       if the list holds the unique identifier, transmitting to the client the content

as filtered by removing content identified by the unique identifiers. (see Schloss, Col. 7

lines 48-67)

11.   For claim 12, Schloss teaches, a computer readable storage medium comprising

computer instructions for:

       reading a container, the container identifying content not to be distributed

according to at least one characteristic of the content;

       comparing the container with received content for distribution to a client;

and

       if the container identifies the received content as including one or more

subsets of content identified as not to be distributed, filtering the subsets from the

content. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

12.   For claim 13, Schloss teaches, the computer readable storage medium of claim

12 wherein the container is a one of a database and a file list. (see Schloss, Col. 5 lines

37-52)

13.   For claim 14, Schloss teaches, a method of managing content in a gateway, the method comprising:

reading a container, the container identifying content not to be distributed according to at least one characteristic of the content;

comparing the container with received content for distribution to a client; and

if the container identifies the received content as including one or more subsets of content identified as not to be distributed, filtering the subsets from the content. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

14.   For claim 15, Schloss teaches, the method of claim 14, further comprising:

if the subsets from the content are filtered, inserting one or more unique identifiers into the content. (see Schloss, Col. 5 lines 37-52)

15.   For claim 16, Schloss teaches, the method of claim 15 wherein the gateway transmits the filtered content to the client via a communication channel in response to a request for content for loading a linked set of files defining a web page, the linked set of files including content having a static characteristic and dynamic content, wherein the content identified as having at least one static characteristic is associated with the one or more unique identifiers. (see Schloss, Col. 7 lines 48-67)

16.   For claim 18, Schloss teaches, the method of claim 14 wherein the

characteristics of the content include a static characteristic of the content. (see Schloss,

Col. 7 lines 48-67)

17.   For claim 19, Schloss teaches, the method of claim 14 wherein the

characteristics of the content include a plurality of characteristics according to one or

more of a determination as to a level of inactivity and a plurality of predetermined

parameters for adjusting the content. (see Schloss, Col. 6 lines 30-57)

18.   For claim 20, Schloss teaches, the method of claim 14 wherein the content is

stored on a machine readable medium coupled to a first digital machine and wherein

the first digital machine transmits content via a communication channel to a second

digital machine, wherein:

        the characteristic of the content associated with the container is a static

characteristic;

        the comparing includes determining whether the container identifies

content for distribution to second digital machine that is held in a cache of the second

digital machine; and

        if the second digital machine cache holds content identified in the

container, the content is stored in a readable/writeable memory locally coupled to the

second digital machine. (see Schloss, Col. 6 lines 30-57)

19.   For claim 21, Schloss teaches, the method of claim 20 wherein the second digital

machine is one of a personal computer, a portable computing device, and a mobile

telephone. (see Schloss, Col. 1 lines 18-35)

20.   For claim 22, Schloss teaches, the method of claim 20 wherein the second digital

machine is configured to execute one or more of telephony, appointment planning, and

personal computing. (see Schloss, Col. 1 lines 18-35, Col. 4 lines 4-20)

21.   For claim 23, Schloss teaches, a system comprising:

        a processor;

        a first memory coupled to the processor;

        a first instruction set operable with the processor to compare a container

in the memory to determine whether content for transmission matches at least a subset

stored in a second memory within a receiving device, wherein the subset is identified as

one or more of static content previously cached in the receiving device and content

previously identified as not to be transmitted to the receiving device; and

        a second instruction set operable with the processor to filter the content

for transmission by removing the subsets. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

22.   For claim 24, Schloss teaches, the system of claim 23 wherein the system is a

gateway configured to transmit filtered content to the receiving device. (see Schloss,

Col. 3 line 60 to Col. 4 line 4)

23.   For claim 25, Schloss teaches, the system of claim 23 wherein the second instruction set further inserts a plurality of unique identifiers into the filtered content, the plurality of unique identifiers marking the filtered content for the receiving device to insert cached content. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

24.   For claim 26, Schloss teaches, the system of claim 23 further comprising a transmitter responsive to the determination of the first and second instruction sets. (see Schloss, Col. 6 line 57 to Col. 7 line 24)

25.   For claim 27, Schloss teaches, the system of claim 23 wherein the receiving device is one of a smart card and a memory module coupled to one of a mobile telephone, a personal digital assistant, a personal computer, and a mobile computing device. (see Schloss, Col. 1 lines 18-35)

26.   For claim 28, Schloss teaches, the system of claim 23 wherein the memory includes:

>   storage for the content with the static characteristic; and

>   a database for holding a list of unique identifiers. (see Schloss, Col. 5 line 57 to Col. 6 line 30)

27.   For claim 29, Schloss teaches, the system of claim 25 wherein:

the receiving device receives the plurality of unique identifiers via a

communication channel in response to a request for content for loading a linked set of

files defining a web page, the linked set of files including content having a static

characteristic and dynamic content, wherein the content identified as having at least one

static characteristic is associated with the plurality of unique identifiers. (see Schloss,

Col. 5 line 57 to Col. 6 line 30, Col. 6 lines 30-57)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

28.   Claims 4, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Schloss in view of Sloan (U.S. Patent 6,179,205).

29.   For claim 4, Schloss teaches, the method of claim 1 wherein the determining is

done one of:

after manufacture of the one or more components for the client, the client or the

gateway performing the determining according to decisions one or both of by the client

and the gateway.

Schloss fails to teach, prior to manufacture of one or more components for the

client, the components including one or more of a smart card, a removable device for a

computer system, and a wireless transmission component for the client; (see Schloss,

Col. 5 line 57 to Col. 6 line 30)

Sloan teaches, prior to manufacture of one or more components for the client,

the components including one or more of a smart card, a removable device for a

computer system, and a wireless transmission component for the client; (see Sloan,

Col. 6 lines 45-62)

It would be obvious of one of ordinary skill in the art at the time of the invention to

combine the system of Schloss with the method of Challenger are improving the

capabilities of no computer devices. (see Schloss, Col. 1 lines18-36) and (see Sloan,

Col. 1 lines 25-40)

30.   For claim 9, Schloss-Sloan teaches, the method of claim 4 wherein the decisions

include one or more of:

a decision that an identified content type will be cached in the client and

require updating according to a predetermined frequency;

a decision regarding a number of bytes for each transmission;

a decision regarding an amount of time for a transmission;

a contractual agreement regarding reduced transmissions;

a decision made via a setup program for governing transmissions; and

a decision respect to a static characteristic of a linked set of files for a web site, the linked set of files having a hierarchy, wherein the linked set of files is shared with the gateway with the static characteristic determining the filtering of the content. (see Schloss, Col. 6 lines 30-57) The same motivation that was utilized in the rejection of claim 4, applies equally as well to claim 9.

31.   For claim 11, Schloss-Sloan teaches, the method of claim 1 wherein the determining one or more characteristics provides a cached set of files for a smart card. (see Sloan, Col. 6 lines 45-62) The same motivation that was utilized in the rejection of claim 4, applies equally as well to claim 11.

32.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss in view of Challenger et al. (U.S. Patent 6,507,891 referred to as Challenger).

33.   For claim 8, Schloss fails to teach, the method of claim 1 wherein the determining is done dynamically by the gateway, the gateway running software adapted to determine whether content is cached in the one or more clients.

the method of claim 1 wherein the determining is done dynamically by the gateway, the gateway running software adapted to determine whether content is cached in the one or more clients. (see Challenger, figure 5 and Col. 7 lines 47-67)

It would be obvious of one of ordinary skill in the art at the time of the invention to combine the system of Schloss with the method of Challenger because both disclose information improvements to web browsing software. (see Schloss, Col. 1 lines 37-51) and (see Challenger, Col. 1 line 58 to Col. 2 line 15)

34.   Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss in view of Fuller et al. (U.S. Patent 6,216,112 referred to as Fuller).

35.   For claim 17, Schloss fails to teach, the method of claim 14 wherein the gateway has a contractual relationship with the client.

Fuller teaches, the method of claim 14 wherein the gateway has a contractual relationship with the client. (see Fuller, Col. 6 lines 40-57)

It would be obvious of one of ordinary skill in the art at the time of the invention to combine the system of Schloss with the method of Fuller because both disclose information about web interfaces software. (see Schloss, Col. 1 lines 37-51) and (see Fuller, Col. 1 lines 55-67)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US-6,026,413 by Challenger et al.

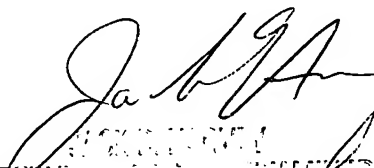2. US-6,112,231 by DeSimone et al.

3. US-5,924,116 by Aggarwal et al.

4. US-5,946,697 by Shen

5. US-6,178,461 by Chan et al.

6. US-6,338,117 by Challenger et al.

7. US-2002/0099829 by Richards et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571)-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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